

**Applicant: Robert A. Vito**  
**Application No.: 09/808,882**

### **REMARKS**

This amendment has been resubmitted to present the above amendment to the claims with underline and brackets identifying differences between the current claims and those in U.S. Patent 5,881,587. Applicant thanks Examiner Barrett for providing a one month time period to resubmit this amendment. For the Examiner's convenience, a set of claims marked up relative to the last amendment is attached at the end of the Remarks.

Claims 1-4 and 6-35 are currently pending in this application. By the foregoing Amendment claims 1, 3, 4, 9, 13-15, 24, 29, and 32-35 have been amended and claim 5 has been cancelled. No new matter is added to the application by this Amendment.

### **ALLOWED CLAIMS**

The Examiner has allowed claims 6-8.

### **CLAIM REJECTIONS 35 U.S.C. § 112**

Claims 1-5 and 9-35 have been rejected under 35 U.S.C. § 112, first paragraph, for reciting a control pedal instead of a brake or clutch pedal. Applicant respectfully submits that the rejection of claim 5 is moot due to cancellation of claim.

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5. Claims 1-4 and 9-35 have been amended as appropriate to recite a brake or clutch pedal instead of a control pedal.

Applicant respectfully requests that the Examiner reconsider and withdraw the Section 112 rejection.

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### **DRAWING SUBMISSION**

The Examiner has required the submission of new formal drawings.  
Accordingly, Applicant submits herewith new formal drawings for this application.  
Applicant respectfully requests that the Examiner approve the formal drawings and  
reconsider and withdraw the drawing submission requirement.

### **INVITATION**

If the Examiner believes that any additional matters need to be addressed in  
order to place with application in condition for allowance, the Examiner is  
respectfully invited to contact the undersigned, by telephone, at the Examiner's  
convenience.

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**CONCLUSION**

In view of the foregoing Amendment and Remarks, Applicant respectfully submits that the present application, including claims 1-4 and 6-35, is in condition for allowance and notice to that effect is respectfully solicited.

Respectfully submitted,

Robert A. Vito

By

  
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